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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,793	08/21/2003	Gary Hall	M61.12-0276	3871
27366 7590 09/19/2007 WESTMAN CHAMPLIN (MICROSOFT CORPORATION) SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3319			EXAMINER SALAD, ABDULLAHI ELMI	
			ART UNIT 2157	PAPER NUMBER
			MAIL DATE 09/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,793

Applicant(s)

HALL ET AL.

Examiner

Salad E. Abdullahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Amendment

1. The Amendment filed on 7/9/2007 has been received and made of record.
2. Applicant's argument with respect claims 1-11 and 13-23, have been fully considered but are moot in view of new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11 and 13-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiatal et al., U.S. Patent Application Publication No. 2003/0157947 [hereinafter Fiatal] in view Kloba et al., U. S. Patent N0. 2002/0052916[hereinafter Kloba]

As per claim 1, Fiatal discloses a method of determining whether to establish a synchronization connection on a mobile device, the method comprising:
determining that there is data on a computing device to be synchronized with data on the mobile device (see fig.6 and paragraph 0063);
broadcasting a notification (transmitting triggers or notification) indicating that there is data to be synchronized to the mobile device using a one-way communication channel; receiving the notification at the mobile device(see fig.6 and paragraph 0064); and

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based in part on the notification, deciding whether to initiate a connection to a computing device for the purpose of synchronization(see fig.6 and paragraph 0068).

Fiatal is silent regarding: the notification comprising a globally unique identifier for a contain, comparing the globally unique identifier of containers stored on the mobile device and by comparing the globally unique identifier to globally unique identifiers in previous notifications.

Kloba discloses a system for synchronizing objects between a server and a client based on state information the notification comprising a globally unique identifier for a contain, comparing the globally unique identifier of containers stored on the mobile device and by comparing the globally unique identifier to globally unique identifiers in previous notifications (see paragraph 0129 and 0299). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention presented with the teachings of Fiatal to utilize the mobile device synchronization mechanism as taught by Kloba such that the data is the same on client and server.

As per claim 2, Fiatal discloses the method of claim 1 wherein broadcasting a notification comprises broadcasting a short message service message (fig. 6, message 126).

As per claim 5, Fiatal discloses the method of claim 1 wherein determining that

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there is data on a computing device to be synchronized comprises receiving a mail message in a mail folder (see fig.4 and paragraph 0056).

As per claims 6-8, 10-11 and 14 Fiatal discloses the method of claim 1 wherein determining that there is data on a computing device comprises instantiating an exchange event service based on a change to a data object (see paragraph 0063).

As per claim 9, Fiatal discloses the method of claim 1 wherein the mobile device is a phone (se fig. 1. element 20).

As per claim 12, Fiatal discloses the method of claim 1 wherein the notification comprises a globally unique identifier (see paragraph 0056).

As per claim 13, Fiatal discloses the method of claim 1 wherein deciding whether to initiate a connection comprises waiting until a minimum number of notifications have been received at the mobile device, wherein the minimum number is greater than one (see paragraph 0064).

As per claims 14, the claim includes features similar with features in claims 1, further reciting: wherein deciding whether to initiate a connection comprises waiting until a minimum number of notifications have been received at the mobile device, wherein the minimum number is greater than one(see Kloba paragraph

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0129).

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiatal as applied to claim 1 above, and further in view of Conneely. U.S. Patent Application Publication No. 2003/0050046 [hereinafter Conneely].

As per claims 3, Fiatal discloses substantial features of the claimed invention as discussed with respect to claim 1 above:

converting the simple mail transfer protocol message into the short message service message.

Conneely discloses Notification infrastructure for sending device-specific wireless notifications including converting the simple mail transfer protocol message into the short message service message (see paragraph 0051). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention presented with teaching of Fiatal to utilize Notification infrastructure for sending device-specific wireless notifications including converting the simple mail transfer protocol message into the short message service message, thus enabling the protocol be selected based on a capability of a network associated with the wireless device to use the protocol.

As per claim 4, Conneely discloses the method of claim 3 wherein sending a simple mail transfer protocol message to a carrier comprises addressing a simple mail transfer protocol message using an identifier that identifies the mobile device, determining that the simple mail transfer protocol message is a

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synchronization notification, and generating a second simple mail transfer protocol message with a different address (see paragraph 0047).

As per claims 15-23, the claims include features similar with features in claims 1-11 and 13-14, thus claims 15-23 are rejected same rational as claims 1-11 and 13-14).

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E. Abdullahi whose telephone number

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is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

As
9/16/2007


ABDULLAHISALAD
PRIMARY EXAMINER